

November 21, 2013

**SENT VIA EMAIL AND FEDEX**

Mr. Michael T. Parker  
Maine Department of Environmental Protection  
Environmental Specialist, Division of Solid Waste Management  
17 State House Station  
Augusta, Maine 04333

RE: Draft Order, Application of the State of Maine, Acting Through the Bureau of General Services  
Juniper Ridge Landfill  
#S-020700-WD-BC-A

Dear Mr. Parker:

Pursuant to your letter dated November 14, 2013, Penobscot Energy Recovery Company, Limited Partnership ("PERC") is submitting this letter so as to provide PERC's comments as to the Draft Order.

1. In Section 4.B, Table 2, the Department Order defines Casella's "Category 2 MSW" obligations pursuant to the Casella/PERC agreement as follows:

"Deliver no less than 10,000 tons of in-state MSW from other Casella-affiliated transfer stations."

Section 4.B, Table 2 of the Department Order does not precisely state Casella's delivery obligations of "Category 2 MSW" as provided in the Casella/PERC agreement. The Casella/PERC agreement states that Casella's delivery obligations of "Category 2 MSW" are as follows:

Deliver 10,000 tons of in-state MSW that is not: (i) Category 1 MSW, (ii) MSW historically under contract for delivery to PERC, and (iii) InState Solid Waste originating within any Charter Municipality regardless of whether such In-State Solid Waste is "commercial" or "residential" MSW.

2. In Section 5.B.3, paragraph 8, the Department Order states the following:

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“Therefore, the Department finds that the term of this license will be limited to the period of time during which licensed disposal capacity remains available for MSW disposal within the horizontal and vertical boundaries approved in Department license #S-20700-WD-N-A, or March 31, 2016, whichever occurs sooner.”

PERC believes that Section 5.B.3, paragraph 8 of the Department Order is intended to correspond to the end of the Casella/PERC agreement which is March 31, 2018. Therefore, PERC requests that Section 5.B.3, paragraph 8 of the Department Order be changed to state that the term of the license end on March 31, 2018 instead of March 31, 2016 which will allow PERC to continue to properly dispose of PERC’s ash and other residuals that are normally delivered by PERC to JRL.

Based on our comments above, PERC requests that Paragraph 10 of the “approval section” contained in the Department Order be modified so as to state that the term of the license will continue until March 31, 2018 (and not March 31, 2016) so as to conform to Section 5.B.3, paragraph 8.

After you have had an opportunity to review this letter, please contact me at (612) 284-3380 or at [jnoer@usaegroup.com](mailto:jnoer@usaegroup.com) with any questions you may have regarding our comments. PERC looks forward to working with the Maine Department of Environmental Protection in the implementation of the final Department Order.

Sincerely,



John A. Noer,  
President  
Penobscot Energy Recovery Company, Limited Partnership